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January 8, 2008

The Honorable Miriam Goldman Cederbaum  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, N.Y. 10021

Re: *New York Helicopter Charter, Inc. et al v. Air Pegasus Heliport, Inc.*  
07 Civ. 4069 (MGC)

Dear Judge Cedarbaum,

I am the attorney for defendant Air Pegasus Heliport, Inc.

Plaintiffs in this action have filed an amended complaint following our court appearance on December 7, 2007, where this Court allowed such a complaint to be filed. We received the amended complaint on January 2, 2008 (it was filed late on December 31, 2007). The amended complaint is now 45 pages long and contains 324 paragraphs, including many more paragraphs dealing with the issue of state action. We were required to file our new motion to dismiss the amended complaint by January 11, 2008. Unfortunately I have another brief due on that day as well as other pressing business. We therefore request one additional week to file our motion to dismiss, until January 18, 2008.

In addition, we would like permission to file an oversize brief to allow us to deal with the extensive assertions contained in the new complaint and to avoid having to refer to our earlier submissions. I therefore request permission to file a brief not to exceed 35 pages. The other defendant, Hudson River Park Trust, joins in this request.

The Honorable Miriam Goldman Cederbaum

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I have spoken to the attorney for the Plaintiff, and he consents to the request for additional time to reply.

Sincerely,

A handwritten signature in blue ink that reads "Leon Friedman". The signature is written in a cursive, flowing style.

Leon Friedman

cc. Robert Hantman, Esq.  
Michael Gould, Esq.